

105TH CONGRESS
1ST SESSION

H. R. 1733

To establish the Saint Helena Island National Scenic Area.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 1997

Mr. KILDEE (for himself and Mr. STUPAK) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Saint Helena Island National Scenic Area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Saint Helena Island
5 National Scenic Area Act”.

6 **SEC. 2. ESTABLISHMENT OF SAINT HELENA ISLAND NA-**
7 **TIONAL SCENIC AREA.**

8 (a) PURPOSE.—The purposes of this Act are—

9 (1) to preserve and protect for present and fu-
10 ture generations the outstanding resources and val-

1 ues of Saint Helena Island in Lake Michigan, Michi-
2 gan, and

3 (2) to provide for the conservation, protection,
4 and enhancement of primitive recreation opportuni-
5 ties, fish and wildlife habitat, vegetation, and histori-
6 cal and cultural resources of such island.

7 (b) ESTABLISHMENT.—For the purposes described in
8 subsection (a), there shall be established the Saint Helena
9 Island National Scenic Area (hereinafter referred to in
10 this Act as the “scenic area”).

11 (c) EFFECTIVE UPON CONVEYANCE.—Subsection (b)
12 shall be effective upon conveyance of satisfactory title to
13 the United States of the whole of Saint Helena Island,
14 except that portion to be conveyed to the Great Lakes
15 Lighthouse Keepers Association pursuant to section 1001
16 of the Coast Guard Authorization Act of 1996 (110 Stat.
17 3948).

18 **SEC. 3. BOUNDARIES.**

19 (a) SAINT HELENA ISLAND.—The scenic area shall
20 comprise all of Saint Helena Island, in Lake Michigan,
21 Michigan, and all associated rocks, pinnacles, islands, and
22 islets within one-eighth mile of the shore of Saint Helena
23 Island.

24 (b) BOUNDARIES OF HIAWATHA NATIONAL FOREST
25 EXTENDED.—Upon establishment of the scenic area, the

1 boundaries of the Hiawatha National Forest shall be ex-
2 tended to include all of the lands within the scenic area.
3 All such extended boundaries shall be deemed boundaries
4 in existence as of January 1, 1965, for the purposes of
5 section 8 of the Land and Water Conservation Fund Act
6 of 1965 (16 U.S.C. 460l–9).

7 (c) PAYMENTS TO LOCAL GOVERNMENTS.—Solely
8 for purposes of payments to local governments pursuant
9 to section 6902 of title 31, United States Code, lands ac-
10 quired by the United States under this Act shall be treated
11 as entitlement lands.

12 **SEC. 4. ADMINISTRATION AND MANAGEMENT.**

13 (a) ADMINISTRATION.—Subject to valid existing
14 rights, the Secretary of Agriculture (hereafter in this Act
15 referred to as the “Secretary”) shall administer the scenic
16 area in accordance with the laws, rules, and regulations
17 applicable to the National Forest System in furtherance
18 of the purposes of this Act.

19 (b) SPECIAL MANAGEMENT REQUIREMENTS.—With-
20 in 3 years of the date of enactment of this Act, the Sec-
21 retary shall develop a management plan for the scenic area
22 as an amendment to the Land and Resources Management
23 Plan for the Hiawatha National Forest. Such an amend-
24 ment shall conform to the provisions of this Act. Nothing
25 in this Act shall require the Secretary to revise the Land

1 and Resource Management Plan for the Hiawatha Na-
2 tional Forest pursuant to section 6 of the Forest and
3 Rangeland Renewable Resources Planning Act of 1974. In
4 developing a plan for management of the scenic area, the
5 Secretary shall address the following special management
6 considerations:

7 (1) PUBLIC ACCESS.—Alternative means for
8 providing public access from the mainland to the
9 scenic area shall be considered, including any avail-
10 able existing services and facilities, concessionaires,
11 special use permits, or other means of making public
12 access available for the purposes of this Act.

13 (2) ROADS.—After the date of enactment of
14 this Act, no new permanent roads shall be con-
15 structed within the scenic area.

16 (3) VEGETATION MANAGEMENT.—No timber
17 harvest shall be allowed within the scenic area, ex-
18 cept as may be necessary in the control of fire, in-
19 sects, and diseases, and to provide for public safety
20 and trail access. Notwithstanding the foregoing, the
21 Secretary may engage in vegetation manipulation
22 practices for maintenance of wildlife habitat and vis-
23 ual quality. Trees cut for these purposes may be uti-
24 lized, salvaged, or removed from the scenic area as
25 authorized by the Secretary.

1 (4) **MOTORIZED TRAVEL.**—Motorized travel
2 shall not be permitted within the scenic area, except
3 on the waters of Lake Michigan, and as necessary
4 for administrative use in furtherance of the purposes
5 of this Act.

6 (5) **FIRE.**—Wildfires shall be suppressed in a
7 manner consistent with the purposes of this Act,
8 using such means as the Secretary deems appro-
9 priate.

10 (6) **INSECTS AND DISEASE.**—Insect and disease
11 outbreaks may be controlled in the scenic area to
12 maintain scenic quality, prevent tree mortality, or to
13 reduce hazards to visitors.

14 (7) **DOCKAGE.**—The Secretary shall provide
15 through concession, permit, or other means docking
16 facilities consistent with the management plan devel-
17 oped pursuant to this section.

18 (8) **SAFETY.**—The Secretary shall take reason-
19 able actions to provide for public health and safety
20 and for the protection of the scenic area in the event
21 of fire or infestation of insects or disease.

22 (c) **CONSULTATION.**—In preparing the comprehensive
23 management plan, the Secretary shall consult with appro-
24 priate State and local government officials, provide for full

1 public participation, and consider the views of all inter-
2 ested parties, organizations, and individuals.

3 **SEC. 5. FISH AND GAME.**

4 Nothing in this Act shall be construed as affecting
5 the jurisdiction or responsibilities of the State of Michigan
6 with respect to fish and wildlife in the scenic area.

7 **SEC. 6. MINERALS.**

8 Subject to valid existing rights, the lands within the
9 scenic area are hereby withdrawn from location, entry, and
10 patent under the United States mining laws and from dis-
11 position under all laws pertaining to mineral leasing, in-
12 cluding all laws pertaining to geothermal leasing. Also
13 subject to valid existing rights, the Secretary shall not
14 allow any mineral development on federally owned land
15 within the scenic area, except that common varieties of
16 mineral materials, such as stone and gravel, may be uti-
17 lized only as authorized by the Secretary to the extent nec-
18 essary for construction and maintenance of roads and fa-
19 cilities within the scenic area.

20 **SEC. 7. ACQUISITION.**

21 (a) ACQUISITION OF LANDS WITHIN THE SCENIC
22 AREA.—The Secretary shall acquire by purchase from
23 willing sellers, gift, or exchange, lands, waters, structures,
24 or interests therein, including scenic or other easements,

1 within the boundaries of the scenic area to further the
2 purposes of this Act.

3 (b) ACQUISITION OF OTHER LANDS.—The Secretary
4 may acquire by purchase from willing sellers, gift, or ex-
5 change, lands or structures on the mainland to the extent
6 necessary for access to and administrative facilities for the
7 scenic area.

8 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) ACQUISITION OF LANDS.—There are hereby au-
10 thorized to be appropriated such sums as may be nec-
11 essary for the acquisition of land, interests in land, or
12 structures within the scenic area and on the mainland as
13 needed for access and administrative facilities.

14 (b) OTHER PURPOSES.—In addition to the amounts
15 authorized to be appropriated under subsection (a), there
16 are authorized to be appropriated such sums as may be
17 necessary for development to carry out the other purposes
18 of this Act.

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